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RUEHBO/AMEMBASSY BOGOTA 0556  
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RUEHUB/USINT HAVANA 0162

S E C R E T ASUNCION 001208

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [PINR](#) [KCRM](#) [PA](#) [CO](#) [VE](#) [CU](#)  
SUBJECT: PARAGUAY: 12 CONVICTED FOR CECILIA CUBAS  
KIDNAPPING AND MURDER

REF: A. 05 ASUNCION 1329 AND PRECEDING  
[1](#)B. ASUNCION 0680  
[1](#)C. ASUNCION 0503  
[1](#)D. ASUNCION 0264 AND PRECEDING

Classified By: DCM Michael J. Fitzpatrick; Reasons 1.4(b),(d)

[1](#)1. (U) SUMMARY: Twelve of the 15 individuals charged with the 2004-5 kidnapping and murdering Cecilia Cubas, daughter of former President Raul Cubas, were convicted November 28. Their sentences, released December 1, range from between 10 and 35 years. Several of the defendants have ties to the leftist Free Fatherland Party (PPL) which, in turn, has received support from the Revolutionary Armed Forces of Colombia (FARC) and other foreign governments. The PPL supports armed struggle as a means to overthrow the Paraguayan elected government. END SUMMARY.

#### The Guilty Verdict

[1](#)2. (U) Twelve of the 15 individuals charged with kidnapping and murdering Cecilia Cubas were convicted November 28. The various defendants' involvement in the case ranged from masterminding the crime, to conducting surveillance of the victim, to making logistical arrangements in connection holding the victim hostage and providing a safe-haven for the criminal gang (ref A). The defendants were given lengthy prison terms ranging from 10 to 35 years. The justices sentenced Osmar Feliciano Martinez and Anastacio Mieres Burgos to 35 years; Francisca Andino was sentenced to 30 years; Roberto Otazu Bustos to 25 years and nine months; and Sebastian Osorio to 18 years. Pedro Chamorro Melgarejo, Manuel Portillo Gomez, former police officer Jose Domingo Hidalgo, and Vaciano Ruben Acosta, who were found guilty of accessory, were sentenced to 24 years and 9 months. Aldo Meza Martinez, who is already serving an 18-year sentence for the kidnapping of Maria Edith de Debernardi in 2001, was sentenced to 15 years. Rosalba Jara Drakeford and Lidia Samudio, who were charged with conspiracy, will serve 5-year sentences. The sentences for the defendants is to be issued on December 1. The other three defendants Asael Salas, Jose Martinez Duran and Jose Martinez were absolved of the crimes and set free. (NOTE: Cubas was kidnapped on 21 September 2004 in front of her residence in San Lorenzo, in the outskirts of Asuncion, and her body was found in a tunnel under a house located in Nemby, Central Department, in February 2005. END NOTE).

#### The Ones that Got Away

[1](#)3. (U) Several of the co-conspirators remain at large. Six men escaped to Argentina (one of whom fled to Bolivia after the others were captured) and are awaiting the possibility of extradition. Two persons escaped to Bolivia and extradition

is pending. (NOTE: Blas Franco Aquino and Angel Acosta initially received refugee status in Bolivia but the Supreme Court overturned that decision in August. They remain at-large (ref B) END NOTE). An additional nine persons remain at-large and are under investigation.

#### Terrorist and Foreign Government Connections

¶4. (C) Many of those convicted are members of, or associated with, the Free Fatherland Party, (PPL). The PPL is a registered political party but its military wing is a band of criminals that emulates and has ties to the FARC. The PPL also promotes the violent overthrow of the government. Its leaders Juan Arrom and Anuncio Marti were accused of the Maria Edith Bordon de Debernardi kidnapping in 2001 and fled to Brazil, later acquiring refugee status. Sensitive reporting indicates that Arrom orchestrates PPL activities from Brazil (refs A and C).

¶5. (U) In May, a self-described PPL-member, Ruben Dario Bernal, surrendered to police and claimed to have insights into the size, capabilities, objectives and foreign (including FARC) ties. Dario claims the group is well-armed and reported that FARC members are training them in Paraguay on a regular basis. Their training includes indoctrination in radical ideology, and the group's members advocate "the armed struggle against the imperialism that oppresses socialist ideas" (ref C).

¶6. (S/NF) Sensitive reporting also indicates that Venezuela and Cuba are also playing a role in fomenting leftist ideology in Paraguay. Venezuela has reportedly provided political training to the PPL and paid for its members to travel to Venezuela and then to Colombia to train with the FARC (ref D). Additional reporting suggests the PPL

continues to acquire support from Bolivia.

¶7. (C) COMMENT: This case has received wide attention over the last two years starting with the tragic kidnapping and murder of Cecilia Cubas and continuing with the capture and trial of many of the principal conspirators. Cubas' mother, Mirtha Gusinsky, has assumed a prominent role in pressing for justice and this decision represents a significant victory in the fight against impunity and domestic terrorism. The response to the threat posed by the PPL has been mixed. Senior Paraguayan military leaders have sought to play down the threat describing its members as mere bandits. Meanwhile the police have reportedly established more of a presence in the northern part of the Department of San Pedro, where the PPL is largely based and where the Paraguayan state has historically been absent. Separately, both we and the Colombians have stepped up efforts to train and equip those law enforcement and security units best positioned to respond to any threat. END COMMENT.

CASON